

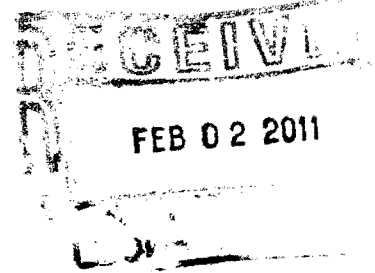


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USDS SDNY  
DOCUMENT  
ELECTRONICALLY FILED  
DOC #:  
DATE FILED: 2-7-11

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February 2, 2011



**BY HAND**

Hon. Leonard B. Sand  
United States District Judge  
500 Pearl Street  
New York, NY 10007-1312

Re: Leonid Mikityanskiy v. Sears Roebuck and Co. and Kenmore  
(10CV 7667 (LBS))

Dear Judge Sand:

We represent defendants Sears Roebuck and Co. and Kenmore ("defendants") in the above captioned action. Defendants are filing a motion to dismiss the Complaint pursuant to Rule 12(b) which must be filed on or before Friday, February 4, 2011. There are two exhibits to the supporting papers that are subject to confidentiality restrictions in a prior settled litigation *Tex Pat, LLC v. 3M Company, 3M Purification Inc. f/k/a/CUNO INCORPORATED and CUNO Engineered Products, Inc.*, Civil Action No. 5:10-CV-115 (E.D. Texas). One exhibit is a settlement offer letter dated August 10, 2010 from Tex Pat to 3M and the other is a settlement agreement dated October 14 and 18, 2010 between Tex Pat and the 3M defendants. There is a strong public interest in protecting confidential settlement materials. On that basis, defendants respectfully request that the Court grant this application to seal these two exhibits to be filed in support of their motion.

Respectfully submitted

*Judith S. Roth*  
Judith S. Roth

cc Leonid Mikityanskiy, Esq. (via facsimile & e-mail)  
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**MEMO ENDORSED**

CHICAGO | WASHINGTON | NEW YORK | LAKE FOREST | ATLANTA | SAN FRANCISCO | BOSTON

*Endorsement*  
*Granted. Plaintiff*  
*may remove objection if*  
*unable to obtain documents*  
*from D.O.J.*  
*So as please*  
*W. Sand*  
*2/7/2011*

Endorsement reads:

“Granted. Plaintiff may renew objection if unable to obtain documents from D.O.J.”

So ordered.